

HOUSE BILL NO. 231

INTRODUCED BY B. LAWSON

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MONTHLY PENSION PAYABLE TO A VOLUNTEER FIREFIGHTER; AND AMENDING SECTION 19-18-602, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 19-18-602, MCA, is amended to read:

"19-18-602. Service pension. (1) Each association shall pay, out of its disability and pension fund, a service pension to each of its members who elects to retire from active service after having completed 20 years or more of active duty and has reached the age of 50 years as a fully paid member of a paid or partly paid and partly volunteer fire department of the city or town in which the association was formed. The pension ~~shall~~ must be equal to one-half of the sum last received by the member as a monthly compensation, excluding overtime and payments in lieu of sick leave and annual leave, for ~~his~~ the member's services as an active member of the fire department.

(2) Effective July 1, 1974, a member who completes 20 years of service and elects to serve additional years ~~shall~~ must receive the pension provided for in subsection (1) increased at the rate of 1% ~~per a~~ year for each additional year of service completed, up to a maximum of 60% of the sum last received by the member as a monthly compensation, excluding overtime and payments in lieu of sick leave and annual leave, for ~~his~~ services as an active member of the fire department. ~~No~~ A member is not eligible to receive a service pension prior to attaining the age of 50 years.

(3) (a) The monthly pension paid to members retiring on or after July 1, 1973, must be at least one-half the regular monthly salary, excluding overtime and payments in lieu of sick leave and annual leave, paid to a confirmed active firefighter of that city, as provided each year in the budget of that city. The monthly pension paid to a member retiring prior to July 1, 1974, must be at least \$200.

(b) In the case of volunteer firefighters, the pension may be set by the board of trustees of the association, but may not exceed \$150 \$225 a month for the first 12 months. On January 1 of each subsequent year, the pension may be increased by 2.5%.

(4) As of July 1, 1977, a member is not eligible to receive a service pension under this section

1 unless ~~he~~ the member is making a monthly contribution to the disability and pension fund, as required by
2 19-18-501, and is on active duty as a fully paid member of a fire department when ~~he~~ the member reaches
3 the age of 50 years.

4 (5) A member of a pure volunteer fire department who has served 20 years or more as an active
5 member of the fire department is entitled to the benefits provided for in this chapter regardless of ~~his~~ age.
6 A member of a pure volunteer fire department who has completed 10 years' service as an active member
7 of the fire department but who is prevented from completing 20 years' service by dissolution or
8 discontinuance of ~~his~~ the member's volunteer fire department, personal relocation ~~due to~~ because of
9 transfer or loss of employment, personal disability, or any other factor beyond ~~his~~ the member's reasonable
10 control may ~~nevertheless~~ qualify for a partial or reduced pension in an amount and to the extent
11 determined by the board of trustees of the association, regardless of ~~his~~ age."

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